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09/505,031	02/16/2000	James Richard Kraemer	RSW919990118US1	6261

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EXAMINER	
GRAHAM, CLEMENT B	
ART UNIT	**PAPER NUMBER**
3692	

DATE MAILED: 11/02/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/505,031	KRAEMER ET AL.	
	Examiner	Art Unit	
	Clement B. Graham	3692	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *28 July 2006*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-45* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-45* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-45 are remained pending.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 1-45, are rejected under 35 U.S.C. 103(a) as being unpatentable over Lent et al (Hereinafter Lent US Patent No 6,405, 181).

As per claims 1-10, Lent discloses a data processing system implemented method for identifying teaser surfers, the method comprising:

receiving, by the data processing system, a credit history data for a creditor(see column 4 lines 18-47).

Lent fail to explicitly teach summing by the data processing system, a total monthly credit card debt for all credit cards issued to the creditor for a one month period, wherein the total monthly credit card debt is summed for each of a predetermined number of months summing by the data processing system, a total monthly new credit card debt for all new credit cards issued to the creditor for a one month period, wherein the total monthly new credit card debt is summed for each of the predetermined number of months;

calculating, by the data processing system, a monthly percentage of new credit card debt to total credit card debt for a one month period, wherein the monthly percentage of new credit card debt to total credit card debt is calculated for each of the predetermined number of months calculating, by the data processing system, an average percentage of new credit card debt to total credit card debt over the predetermined number of months; comparing, by the data processing system, the average percentage of new credit card debt to total credit card debt to a preset cutoff average percentage of new credit card debt to total credit card debt; and issuing, by the data processing system, a credit card to the creditor based on the comparison of the average new credit card debt to total credit card debt to a preset cutoff average percentage of new credit card debt to total credit card debt.

However Lent discloses a set of offers is derived from the credit report data and other applicant information stored in the application object. In a step 1008, the set of offers is displayed. In one embodiment, the offers are derived from the FICO score and income of the applicant, which determine the risk of default, and also from a balance transfer amount specified in the offer. The balance transfer amount may be determined as a percentage of the total revolving balance that the applicant has on all outstanding credit cards in the credit report for the applicant. Both the credit limit offered to the applicant and the interest rate offered to the applicant may vary according to the amount of the total revolving balance that the applicant chooses to transfer to the new account.(see column 13 lines 47-60 and column 14 lines 51-57 and column 15 lines 1-9).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made that the teachings of Lent could have been adapted to perform the functions of summing by the data processing system, a total monthly credit card debt for all credit cards issued to the creditor for a one month period, wherein the total monthly credit card debt is summed for each of a predetermined number of months summing by the data processing system, a total monthly new credit card debt for all new credit cards issued to the creditor for a one month period, wherein the total monthly new credit card debt is summed for each of the predetermined number of months;

calculating, by the data processing system, a monthly percentage of new credit card debt to total credit card debt for a one month period, wherein the monthly percentage of new credit card debt to total credit card debt is calculated for each of the predetermined number of months calculating, by the data processing system, an average percentage of new credit card debt to total credit card debt over the predetermined number of months; comparing, by the data processing system, the average percentage of new credit card debt to total credit card debt to a preset cutoff average percentage of new credit card debt to total credit card debt and issuing, by the data processing system, a credit card to the creditor based on the comparison of the average new credit card debt to total credit card debt to a preset cutoff average percentage of new credit card debt to total credit card debt because these functions are common in evaluating a credit report and further would have would have been a designer's choice of evaluation of a credit report.

Further this would be an attempt to automate a known system.

As per claims 11-20, Lent discloses a data processing system implemented method for identifying teaser surfers, the method comprising:
receiving, by the data processing system, a credit history data for a creditor(see column 4 lines 18-47).

Lent fail to explicitly teach summing, by the data processing system, a total monthly relatively new credit card debt for all relatively new credit cards issued to the creditor for a one month period, wherein the total monthly relatively new credit card debt is summed for each of the predetermined number of months calculating, by the data processing system, a monthly percentage of relatively new credit card debt to total credit card debt for a one month period, wherein the monthly percentage of relatively new credit card debt to total credit card debt is calculated for each of the predetermined number of months calculating, by the data processing system, an average percentage of relatively new credit card debt to total credit card debt over the predetermined number of months; comparing, by the data processing system, the average percentage of relatively new credit card debt to total credit card debt to a preset cutoff average percentage of relatively new credit card debt to total credit card debt; and issuing, by the data processing system, a credit card to the creditor based on the comparison of relatively new credit card debt to total credit card debt to a preset cutoff average percentage of relatively new credit card debt to total credit card debt.

However Lent discloses a set of offers is derived from the credit report data and other applicant information stored in the application object. In a step 1008, the set of offers is displayed. In one embodiment, the offers are derived from the FICO score and income of the applicant, which determine the risk of default, and also from a balance transfer amount specified in the offer. The balance transfer amount may be determined as a percentage of the total revolving balance that the applicant has on all outstanding credit cards in the credit report for the applicant. Both the credit limit offered to the applicant and the interest rate offered to the applicant may vary according to the amount of the total revolving balance that the applicant chooses to transfer to the new account.(see column 13 lines 47-60 and column 14 lines 51-57 and column 15 lines 1-9).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made that the teachings of Lent could have been adapted to perform the functions of summing, by the data processing system, a total monthly relatively new credit card debt for all relatively new credit cards issued to the creditor for a one month period, wherein the total monthly relatively new credit card debt is summed for each of the predetermined number of months calculating, by the data processing system, a monthly percentage of relatively new credit card debt to total credit card debt for a one month period, wherein the monthly percentage of relatively new credit card debt to total credit card debt is calculated for each of the predetermined number of months calculating, by the data processing system, an average percentage of relatively new credit card debt to total credit card debt over the predetermined number of months; comparing, by the data processing system, the average percentage of relatively new credit card debt to total credit card debt to a preset cutoff average percentage of relatively new credit card debt to total credit card debt; and issuing, by the data processing system, a credit card to the creditor based on the comparison of relatively new credit card debt to total credit card debt to a preset cutoff average percentage of relatively new credit card debt to total credit card debt because these functions are common in evaluating a credit report and further would have would have been a designer's choice of evaluation of a credit report.

As per claims 21-30, Lent discloses a data processing system for identifying teaser surfers, comprising:
receiving means of the data processing system for receiving credit history data for a creditor(see column 4 lines 18-47).

Lent fail to explicitly teach summing means of the data processing system for summing total monthly credit card debt for all credit cards issued to the creditor for a one month period, wherein the total monthly credit card debt is summed for each of. a predetermined number of months, summing means of the data processing system for summing total monthly new credit card debt for all relatively new credit cards issued to the creditor. for a one month period, wherein the total monthly new credit card debt is summed for each of the predetermined number of months calculating means of the data processing system for calculating a monthly percentage of new credit card debt to total credit card debt for a one month period, wherein the monthly percentage of new credit card debt to total credit card debt is calculated for each of

the predetermined number of months calculating means of the data processing system for calculating an average percentage of new credit card debt to total credit card debt over the predetermined number of months, comparing means of the data processing system for comparing the average percentage of new credit card debt to total credit card debt to a preset cutoff: average percentage of new credit card debt to total credit card debt and issuing means of the data processing system for issuing a credit card to the creditor based on the comparison of new credit card debt to total credit card debt to a preset cutoff average percentage o£ new credit card debt to total credit card debt.

However Lent discloses a set of offers is derived from the credit report data and other applicant information stored in the application object. In a step 1008, the set of offers is displayed. In one embodiment, the offers are derived from the FICO score and income of the applicant, which determine the risk of default, and also from a balance transfer amount specified in the offer. The balance transfer amount may be determined as a percentage of the total revolving balance that the applicant has on all outstanding credit cards in the credit report for the applicant. Both the credit limit offered to the applicant and the interest rate offered to the applicant may vary according to the amount of the total revolving balance that the applicant chooses to transfer to the new account.(see column 13 lines 47-60 and column 14 lines 51-57 and column 15 lines 1-9).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made that the teachings of Lent could have been adapted to perform the functions summing means of the data processing system for summing total monthly credit card debt for all credit cards issued to the creditor for a one month period, wherein the total monthly credit card debt is summed for each of. a predetermined number of months, summing means of the data processing system for summing total monthly new credit card debt for all relatively new credit cards issued to the creditor. for a one month period, wherein the total monthly new credit card debt is summed for each of the predetermined number of months calculating means of the data processing system for calculating a monthly percentage of new credit card debt to total credit card debt for a one month period, wherein the monthly percentage of. new credit card debt to total credit card debt is calculated for each of the predetermined number of months calculating means of the data processing system for calculating an average

percentage of new credit card debt to total credit card debt over the predetermined number of months comparing means of the data processing system for comparing the average percentage of new credit card debt to total credit card debt to a preset cutoff: average percentage of new credit card debt to total credit card debt and issuing means of the data processing system for issuing a credit card to the creditor based on the comparison of new credit card debt to total credit card debt to a preset cutoff average percentage o£ new credit card debt to total credit card debt because these functions are common in evaluating a credit report and further would have would have been a designer's choice of evaluation of a credit report.

As per claims 31-36, Lent discloses a data processing system for identifying teaser surfers: the data processing system comprising receiving means for receiving credit history data for a creditor the data processing system comprising (see column 4 lines 18-47).

Lent fail to explicitly teach summing means for summing total monthly relatively new credit card debt for all relatively new credit cards issued to the creditor for a one month period, wherein the total monthly relatively new credit card debt is summed .for each of the predetermined number of months the data processing system comprising calculating means for calculating a monthly percentage of relatively new credit card debt to total credit card debt for a one month period, wherein the monthly percentage of relatively new credit card debt to total credit card debt is calculated for each of the predetermined number of months, the data processing system comprising calculating means for calculating an average percentage of relatively new credit card debt to total credit card debt over the predetermined number of months the data processing system comprising comparing means for comparing the average percentage of relatively new credit card debt to total credit card debt to a preset cutoff average percentage of relatively new credit card debt to total credit card debt; and
the data processing system comprising issuing means for issuing a credit card to the creditor based on the comparison of relatively new credit card debt to total credit card debt to a preset cutoff average percentage of relatively new credit card debt to total credit card debt.

However Lent discloses a set of offers is derived from the credit report data and other applicant information stored in the application object. In a step 1008, the set of offers is displayed. In one embodiment, the offers are derived from the FICO score and income of the

applicant, which determine the risk of default, and also from a balance transfer amount specified in the offer. The balance transfer amount may be determined as a percentage of the total revolving balance that the applicant has on all outstanding credit cards in the credit report for the applicant. Both the credit limit offered to the applicant and the interest rate offered to the applicant may vary according to the amount of the total revolving balance that the applicant chooses to transfer to the new account.(see column 13 lines 47-60 and column 14 lines 51-57 and column 15 lines 1-9).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made that the teachings of Lent could have been adapted to perform the functions of summing means for summing total monthly relatively new credit card debt for all relatively new credit cards issued to the creditor for a one month period, wherein the total monthly relatively new credit card debt is summed .for each of the predetermined number of months the data processing system comprising calculating means for calculating a monthly percentage of relatively new credit card debt to total credit card debt for a one month period, wherein the monthly percentage of relatively new credit card debt to total credit card debt is calculated for each of the predetermined number of months, the data processing system comprising calculating means for calculating an average percentage of relatively new credit card debt to total credit card debt over the predetermined number of months the data processing system comprising comparing means for comparing the average percentage of relatively new credit card debt to total credit card debt to a preset cutoff average percentage of relatively new credit card debt to total credit card debt; and
the data processing system comprising issuing means for issuing a credit card to the creditor based on the comparison of relatively new credit card debt to total credit card debt to a preset cutoff average percentage of relatively new credit card debt to total credit card debt because these functions are common in evaluating a credit report and further it would have would have been a designer's choice of evaluation of a credit report.

As per claims 37-40, Lent discloses a data processing system for identifying teaser surfers: the data processing system comprising receiving means for receiving credit history data for a creditor(see column 4 lines 18-47).

Lent fail to explicitly teach comparing means for comparing an amount of new credit card debt to a total amount of credit card debt; and issuing means for issuing a credit card to the creditor based on the comparison of the amount of. new credit card debt to the total amount of credit card debt.

However Lent discloses a set of offers is derived from the credit report data and other applicant information stored in the application object. In a step 1008, the set of offers is displayed. In one embodiment, the offers are derived from the FICO score and income of the applicant, which determine the risk of default, and also from a balance transfer amount specified in the offer. The balance transfer amount may be determined as a percentage of the total revolving balance that the applicant has on all outstanding credit cards in the credit report for the applicant. Both the credit limit offered to the applicant and the interest rate offered to the applicant may vary according to the amount of the total revolving balance that the applicant chooses to transfer to the new account.(see column 13 lines 47-60 and column 14 lines 51-57 and column 15 lines 1-9).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made that the teachings of Lent could have been adapted to perform the functions of comparing means for comparing an amount of new credit card debt to a total amount of credit card debt; and issuing means for issuing a credit card to the creditor based on the comparison of the amount of. new credit card debt to the total amount of credit card debt because these functions are common in evaluating a credit report and further would have would have been a designer's choice of evaluation of a credit report.

As per claim 41, Lent discloses a computer program product in a computer-readable medium for use in a data processing system for identifying teaser surfers:
the computer program product comprising receiving instructions for receiving credit history data for a creditor the computer program product comprising creditor (see column 4 lines 18-47).
Lent fail to explicitly teach summing instructions for summing total monthly credit card debt for all credit cards issued to the creditor for a one month period, wherein the total monthly credit card debt is summed for each of a predetermined number of months the computer program product comprising summing instructions for summing total monthly new credit card debt for all

new credit cards issued to the creditor for a one month period, wherein the total monthly new credit card debt is summed for each of the predetermined number of months the computer program product comprising calculating instructions for calculating a monthly percentage of new credit card debt to total credit card debt for a one mouth period, wherein the monthly percentage of new credit card debt to total credit card debt is calculated for each of, the predetermined number of months the computer program, product comprising calculating instructions for calculating an average percentage of new credit card debt to total credit card debt over the predetermined number of months the computer program product comprising comparing instructions for comparing the average percentage of new credit card debt to total credit card debt to a preset cutoff average percentage of new credit card debt to total credit card debt; and the computer program product comprising issuing instructions for issuing a credit card to the creditor based on the comparison of the average new credit card debt to total credit card debt to a preset cutoff average percentage of new credit card debt to total credit card debt.

However Lent discloses a set of offers is derived from the credit report data and other applicant information stored in the application object. In a step 1008, the set of offers is displayed. In one embodiment, the offers are derived from the FICO score and income of the applicant, which determine the risk of default, and also from a balance transfer amount specified in the offer. The balance transfer amount may be determined as a percentage of the total revolving balance that the applicant has on all outstanding credit cards in the credit report for the applicant. Both the credit limit offered to the applicant and the interest rate offered to the applicant may vary according to the amount of the total revolving balance that the applicant chooses to transfer to the new account.(see column 13 lines 47-60 and column 14 lines 51-57 and column 15 lines 1-9).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made that the teachings of Lent could have been adapted to perform the functions of summing instructions for summing total monthly credit card debt for all credit cards issued to the creditor for a one month period, wherein the total monthly credit card debt is summed for each of a predetermined number of months the computer program product comprising summing instructions for summing total monthly new credit card debt for all new credit cards

issued to the creditor for a one month period, wherein the total monthly new credit card debt is summed for each of the predetermined number of months the computer program product comprising calculating instructions for calculating a monthly percentage of new credit card debt to total credit card debt for a one mouth period, wherein the monthly percentage of new credit card debt to total credit card debt is calculated for each of, the predetermined number of months the computer program, product comprising calculating instructions for calculating an average percentage of new credit card debt to total credit card debt over the predetermined number of months the computer program product comprising comparing instructions for comparing the average percentage of new credit card debt to total credit card debt to a preset cutoff average percentage of new credit card debt to total credit card debt; and the computer program product comprising issuing instructions for issuing a credit card to the creditor based on the comparison of the average new credit card debt to total credit card debt to a preset cutoff average percentage of new credit card debt to total credit card debt because these functions are common in evaluating a credit report and further would have would have been a designer's choice of evaluation of a credit report.

As per claim 42, Lent discloses a computer program product in a computer-readable medium for use in a data processing system for identifying teaser surfers:
the computer program product comprising receiving instructions for .receiving credit history data for a creditor the computer program product comprising (see column 4 lines 18-47).

Lent fail to explicitly teach summing instructions for summing total monthly relatively new credit card debt for all relatively new credit cards issued to the creditor for a one month period, wherein the total monthly relatively new credit card debt is summed for each of the predetermined number of months the computer program product comprising calculating instructions for calculating a monthly percentage of relatively new credit card debt to total credit card debt for a one month. period, wherein the monthly percentage of relatively new credit card debt to total credit card debt is calculated for each of the predetermined number of months, the computer program product comprising calculating instructions for calculating an average percentage of relatively new credit card debt to total credit card debt over the predetermined number of months the computer program, product comprising comparing instructions for comparing the average percentage of relatively new credit card debt to total

credit card debt to a preset cutoff average percentage of relatively new credit card debt to total credit card debt; and the computer program product comprising issuing instructions for, issuing a credit card to the creditor based on the comparison of relatively new credit card debt to total credit card debt to a preset cutoff average percentage of relatively new credit card debt to total credit card debt.

However Lent discloses a set of offers is derived from the credit report data and other applicant information stored in the application object. In a step 1008, the set of offers is displayed. In one embodiment, the offers are derived from the FICO score and income of the applicant, which determine the risk of default, and also from a balance transfer amount specified in the offer. The balance transfer amount may be determined as a percentage of the total revolving balance that the applicant has on all outstanding credit cards in the credit report for the applicant. Both the credit limit offered to the applicant and the interest rate offered to the applicant may vary according to the amount of the total revolving balance that the applicant chooses to transfer to the new account.(see column 13 lines 47-60 and column 14 lines 51-57 and column 15 lines 1-9).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made that the teachings of Lent could have been adapted to perform the functions summing instructions for summing total monthly relatively new credit card debt for all relatively new credit cards issued to the creditor for a one month period, wherein the total monthly relatively new credit card debt is summed for each of the predetermined number of months the computer program product comprising calculating instructions for calculating a monthly percentage of relatively new credit card debt to total credit card debt for a one month. period, wherein the monthly percentage of relatively new credit card debt to total credit card debt is calculated for each of the predetermined number of months, the computer program product comprising calculating instructions for calculating an average percentage of relatively new credit card debt to total credit card debt over the predetermined number of months the computer program, product comprising comparing instructions for comparing the average percentage of relatively new credit card debt to total credit card debt to a preset cutoff average percentage of relatively new credit card debt to total credit card debt; and the computer program product comprising issuing instructions for, issuing a credit card to the creditor based

on the comparison of relatively new credit card debt to total credit card debt to a preset cutoff average percentage of relatively new credit card debt to total credit card debt because these functions are common in evaluating a credit report and further would have would have been a designer's choice of evaluation of a credit report.

As per claim 43, Lent discloses a computer program product in a computer-readable medium for use in a data processing system for identifying teaser surfers:
the computer proms product comprising receiving instructions for receiving credit history data for a creditor;
the computer program product comprising(see column 4 lines 18-47).

Lent fail to explicitly teach comparing instructions for comparing an amount of new credit card debt to a total amount of credit card debt, and the computer program product comprising issuing instructions for issuing a credit card to the creditor based on the comparison of the amount of new credit card debt to the total amount of credit card debt.

However Lent discloses a set of offers is derived from the credit report data and other applicant information stored in the application object. In a step 1008, the set of offers is displayed. In one embodiment, the offers are derived from the FICO score and income of the applicant, which determine the risk of default, and also from a balance transfer amount specified in the offer. The balance transfer amount may be determined as a percentage of the total revolving balance that the applicant has on all outstanding credit cards in the credit report for the applicant. Both the credit limit offered to the applicant and the interest rate offered to the applicant may vary according to the amount of the total revolving balance that the applicant chooses to transfer to the new account.(see column 13 lines 47-60 and column 14 lines 51-57 and column 15 lines 1-9).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made that the teachings of Lent could have been adapted to perform the functions of comparing instructions for comparing an amount of new credit card debt to a total amount of credit card debt, and the computer program product comprising issuing instructions for issuing a credit card to the creditor based on the comparison of the amount of new credit card debt to the total amount of credit card debt because these functions are common in

evaluating a credit report and further would have would have been a designer's choice of evaluation of a credit report.

As per claim 44, Lent discloses a data processing system implemented method for identifying teaser surfers, the method comprising:
receiving by the data processing system a credit history data for a creditor(see column 4 lines 18-47).

Lent fail to explicitly teach determining by the data processing system if the creditor is a teaser surfer based on the credit history data and rejecting by the data processing system a credit card to the creditor based on the teaser surfer determination.

However Lent discloses a set of offers is derived from the credit report data and other applicant information stored in the application object. In a step 1008, the set of offers is displayed. In one embodiment, the offers are derived from the FICO score and income of the applicant, which determine the risk of default, and also from a balance transfer amount specified in the offer. The balance transfer amount may be determined as a percentage of the total revolving balance that the applicant has on all outstanding credit cards in the credit report for the applicant. Both the credit limit offered to the applicant and the interest rate offered to the applicant may vary according to the amount of the total revolving balance that the applicant chooses to transfer to the new account.(see column 13 lines 47-60 and column 14 lines 51-57 and column 15 lines 1-9).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made that the teachings of Lent could have been adapted to perform the functions of determining by the data processing system if the creditor is a teaser surfer based on the credit history data and rejecting by the data processing system a credit card to the creditor based on the teaser surfer determination because these functions are common in evaluating a credit report and further would have would have been a designer's choice of evaluation of a credit report.

As per claim 45, Lent discloses a computer program product in a computer-readable medium for use in a data processing system for identifying teaser surfers, the computer program product comprising instructions for receiving credit history data for a creditor(see column 4 lines 18-47).

Lent fail to explicitly teach instructions for determining if the creditor is a teaser surfer based on the credit history data, and instructions for rejecting a credit card to the creditor based on the teaser surfer determination.

However Lent discloses a set of offers is derived from the credit report data and other applicant information stored in the application object. In a step 1008, the set of offers is displayed. In one embodiment, the offers are derived from the FICO score and income of the applicant, which determine the risk of default, and also from a balance transfer amount specified in the offer. The balance transfer amount may be determined as a percentage of the total revolving balance that the applicant has on all outstanding credit cards in the credit report for the applicant. Both the credit limit offered to the applicant and the interest rate offered to the applicant may vary according to the amount of the total revolving balance that the applicant chooses to transfer to the new account.(see column 13 lines 47-60 and column 14 lines 51-57 and column 15 lines 1-9).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made that the teachings of Lent could have been adapted to perform the functions of instructions for determining if the creditor is a teaser surfer based on the credit history data, and instructions for rejecting a credit card to the creditor based on the teaser surfer determination because these functions are common in evaluating a credit report and further would have would have been a designer's choice of evaluation of a credit report.

Conclusion

Response to Arguments

4. Applicant's arguments files on 7/28/06 have been fully considered but are moot in view of new grounds of rejections.

5. In response to Applicant's arguments as it pertains to Lent.

6. In response to Applicant's arguments that prior art of reference fail to teach or suggest"summing by the data processing system, a total monthly credit card debt for all credit cards issued to the creditor for a one month period, wherein the total monthly credit card debt is summed for each of a predetermined number of months summing by the data processing system, a total monthly new credit card debt for all new credit cards issued to the creditor for a one month period, wherein the total monthly new credit card

debt is summed for each of the predetermined number of months and calculating, by the data processing system, a monthly percentage of new credit card debt to total credit card debt for a one month period, wherein the monthly percentage of new credit card debt to total credit card debt is calculated for each of the predetermined number of months calculating, by the data processing system, an average percentage of new credit card debt to total credit card debt over the predetermined number of months; comparing, by the data processing system, the average percentage of new credit card debt to total credit card debt to a preset cutoff average percentage of new credit card debt to total credit card debt; and issuing, by the data processing system, a credit card to the creditor based on the comparison of the average new credit card debt to total credit card debt to a preset cutoff average percentage of new credit card debt to total credit card debt" the examiner disagrees with Applicant's because these limitations were addressed as stated.

Lent discloses a set of offers is derived from the credit report data and other applicant information stored in the application object. In a step 1008, the set of offers is displayed. In one embodiment, the offers are derived from the FICO score and income of the applicant, which determine the risk of default, and also from a balance transfer amount specified in the offer. The balance transfer amount may be determined as a percentage of the total revolving balance that the applicant has on all outstanding credit cards in the credit report for the applicant. Both the credit limit offered to the applicant and the interest rate offered to the applicant may vary according to the amount of the total revolving balance that the applicant chooses to transfer to the new account. see column 13 lines 47-60 and column 14 lines 51-57 and column 15 lines 1-9 and Another component of the offer granted to the applicant that may be varied based on the balance transfer selected is a teaser rate or annual rate. A teaser rate is an interest rate that is temporarily extended to the applicant either on the amount transferred or on the amount transferred and purchases made for a certain period of time. The teaser rate is intended to incent the applicant to transfer a greater balance to a new account In one embodiment, the teaser rate is determined based on the percentage of the applicant's total revolving balance that the applicant elects to transfer. Thus, the amount transferred

by the applicant controls not only the applicant's credit limit but also determines a teaser rate extended to the applicant. see column 15 lines 53-65.
However the teachings of Lent component of the offer granted to the applicant that may be varied based on the balance transfer selected is a teaser rate or annual rate. A teaser rate is an interest rate that is temporarily extended to the applicant either on the amount transferred or on the amount transferred and purchases made for a certain period of time. The teaser rate is intended to incent the applicant to transfer a greater balance to a new account In one embodiment, the teaser rate is determined based on the percentage of the applicant's total revolving balance that the applicant elects to transfer. Thus, the amount transferred by the applicant controls not only the applicant's credit limit but also determines a teaser rate extended to the applicant at column see column 15 lines 53-65 and because summing total monthly new credit card debt for all new credit cards Issued to the creditor for one month period "could have been zero" and there is no guarantee that any one would have incurred a balance due on the new card, it would have been obviously clear to one of ordinary skill in the art at the time the invention was made that they would not have had a total for monthly new credit cards debt.

7. **THIS ACTION IS MADE FINAL**. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Clement B Graham whose telephone number is 703-305-1874. The examiner can normally be reached on 7am to 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Frantzy Poinvil can be reached on 703-305-9779. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-0040 for regular communications and 703-305-0040 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

CG
April 20, 2006

FRANTZY POINVIL
PRIMARY EXAMINER
AU 3692